

REMARKS/ARGUMENTS

I. Amendment to the Claims

Claims 1-22 are pending in the above-referenced application, with claims 1, 4, 5, 8, and 19 being independent claims. Claims 1-7 are amended herein.

Specifically, claim 1 is amended herein to recite additional method steps for deactivating the motor during extension of the covering upon detection a single press and release of either the up button or the down button, and activating the motor to continue extending the covering upon detection of a single press and release of the down button. In addition, claim 4 is amended herein to recite additional method steps for deactivating the motor during retraction of the covering upon detection of a single press and release of either the up button or the down button, and activating the motor to continue retracting the covering upon detection of a single press and release of the up button. Further, claim 5 is amended herein to recite additional method steps for deactivating the motor while rotating a roll bar to put the adjustable covering in a minimally transmissive configuration upon detection of a single press and release of either the up button or the down button, and activating the motor upon detection of a single press and release of the up button to continue rotating the roll bar until the adjustable covering is in its minimally transmissive configuration.

Claims 2-3 and 6-7 are also amended herein to redesignate the method steps in light of the amendments made to claims 1 and 5, respectively.

II. Rejection of Claims under 35 U.S.C. § 103

Claims 1-22 are rejected as being unpatentable under 35 U.S.C. § 103(a), as set forth in the Office action. Domel et al. (U.S. Pat. No. 6,060,852) and Bresson et al. (U.S. Pat. No. 5,402,047) are cited in support of the rejections under 35 U.S.C. § 103(a).

A. Claims 1-7

In the Office action, claims 1-7 are rejected as being unpatentable under 35 U.S.C. § 103 over Domel et al. Among various reasons cited in support of the rejections of claims 1-7, it is asserted that Domel et al. refers to the Silhouette shade, which is motor driven and programmed

to stop upon any one of several stop means. It is also asserted that a single pushing of a button, whether to command the shade to raise, lower, tilt open or tilt close is clearly an obvious choice given the programmable nature of Domel et al.

To establish a prima facie case of obviousness, the prior art reference, or references when combined, must teach or suggest every limitation of the claimed invention. See MPEP § 2143. There are aspects of the invention defined by amended independent claims 1, 4, and 5 not taught or suggested by Domel et al. For example, independent claims 1, 4, and 5 recite a wireless remote control having an “up and down button.” Further, claims 1, 4, and 5 have been amended herein to include steps further defining the operation of the up and down buttons. As discussed above, claims 1, 4, and 5 are amended to recite that activation of one of the up and down buttons stops the retraction or extension of the adjustable covering, and the up and down buttons can be reactivated to continue the retraction or extension, respectively, of the covering. In addition to not teaching or suggesting all the limitations of claims 1, 4, and 5, the Domel et al. reference teaches away from modifying the signal generator disclosed therein to include up and down pushbuttons. As described below, the circuits described in Domel et al. disclose the use of motor run and motor direction flip-flops to control operation and direction of the motor and covering, which envisage coordinated operation with a signal generator having only one pushbutton.

Domel et al. discloses an actuator for adjusting the position of a window covering controllable with a hand-held user command generator. See Domel et al. patent, Col. 9, ll. 45-50; and Fig. 1. However, Domel et al. does not teach or suggest a wireless remote control having up and down buttons. In addition, Domel et al. does not teach or suggest a wireless remote control that can be used to retract (or extend) a covering, stop the retraction (or extension), and then continue the retraction (or extension). Instead, Domel et al. discloses a signal generator that suggests the use of a single pushbutton working in conjunction with a circuit used to control a motor to retract or extend the covering. See Domel et al. patent, Col. 15, ll. 6-22; and Figs. 1 and 7. More particularly, as described with reference to Fig. 7 in Domel et al., the motor control circuit utilizes a motor run flip-flop that generates a “motor run” or “motor stop” output and a motor direction flip-flop that generates a “clockwise” or “counterclockwise” output. See Domel et al. patent, Col. 14, ll. 60-68; and Fig. 7. A “motor run” output from the motor run flip-flop commands the motor to operate, which causes the covering to either tilt up or

down (or extend or retract) based on a “clockwise” or “counterclockwise” output from the motor direction flip-flop. See Domel et al. patent, Col. 15, ll. 6-22; Fig. 7; Col. 21, ll. 9-Col 22, ll. 43; and Fig. 9. In operation, the signal generator is manipulated to generate a first user command signal to cause the motor run flip-flop to generate a “motor run” signal. See Domel et al. patent, Col. 15, ll. 6-22; and Fig. 7. The signal generator can again be manipulated to generate a second user command signal to cause the motor run flip-flop to generate a “motor stop” signal. See Domel et al. patent, Col. 15, ll. 6-22; and Fig. 7. Each time the motor run flip-flop is reset to a “stop motor” state, it toggles the motor direction flip-flop. See Domel et al. patent, Col. 15, ll. 1-5; and Fig. 7. As such, each time the signal generator is manipulated to operate the motor, the motor will operate in an opposite direction from its previous operation, which causes the covering to move in an opposite direction from its previous movement. For example, a user of the signal generator in Domel et al. attempting to place a covering in a desired position will have to extend a covering, stop the covering, retract the covering, stop the covering, extend the covering again, and so on. Therefore, Domel et al. does not teach or suggest a wireless remote control having up and down buttons, nor does Domel et al. teach or suggest that a remote control that can be used to extend (or retract) a covering, stop the covering, and continue extending (or retracting) the covering.

Thus, it is respectfully submitted that, for at least the reasons discussed above, the Domel et al. patent does not disclose or suggest the invention of claims 1, 4, and 5. As such, claims 1, 4, and 5 are patentable under 35 U.S.C. § 103(a) over Domel et al. Claims 2-3 and 6-7 depend from and include all of the limitations of claims 1 and 5, respectively. Thus, for at least the same reasons discussed above with regard to claims 1 and 5, it is believed that claims 2-3 and 6-7 are patentable under 35 U.S.C. § 103(a) over Domel et al. Therefore, it is believed that claims 1-7 are in form for allowance and such indication is respectfully requested.

B. Claims 8-18, 20, 21, and 22

In the Office action, claims 8-18, 20, 21, and 22 are rejected as being unpatentable under 35 U.S.C. § 103 over Bresson et al. Among various reasons cited in support of the rejections of claims 8-18, 20, 21, and 22, it is asserted that Bresson et al. discloses a programmable Venetian blind operating device which controls raising, lowering, and tilting of slats. It is also asserted that

it is inherent that the device is capable of recognizing its current position upon a command to change its status.

To establish a prima facie case of obviousness, the prior art reference, or references when combined, must teach or suggest every limitation of the claimed invention. See MPEP § 2143. There are aspects of independent claim 8 that are not taught or suggested by Bresson et al. For example, claim 8 recites a method of using a remote control having an “up button and a down button.” Further, claim 8 recites method steps of “monitoring an amount of extension” of an adjustable covering, “monitoring an amount of transmissivity” of the adjustable covering, and monitoring a signal from the remote for an indication of “pressing one of said up button and said down button.” Bresson et al. discloses a device for controlling a motor unit used to adjust the position of a screening element, such as a Venetian blind. See Bresson et al. patent, Col. 1, ll. 64-68. More particularly, Bresson et al. teaches a motor control circuit including a microcontroller for controlling a single motor at two different speeds and in two different directions. See Bresson et al. patent, Col. 3, ll. 12-19; and Fig. 1. However, Bresson et al. does not teach or suggest a remote control having up and down buttons, nor does it teach or suggest monitoring amounts of transmissivity or extension of a screening element.

Thus, it is respectfully submitted that, for at least the reasons discussed above, the Bresson et al. patent does not disclose or suggest the invention of claim 8. As such, claim 8 is patentable under 35 U.S.C. § 103(a) over Bresson et al. Claims 9-18, 20, 21, and 22 depend from and include all of the limitations of claim 8, respectively. Thus, for at least the same reasons discussed above with regard to claim 8, it is believed that claims 9-18, 20, 21, and 22 are patentable under 35 U.S.C. § 103(a) over Bresson et al. Therefore, it is believed that claims 8-18, 20, 21, and 22 are in form for allowance and such indication is respectfully requested.

C. Claims 19, 20, 21, and 22

In the Office action, claims 19, 20, 21, and 22 are rejected as being unpatentable under 35 U.S.C. § 103 over Bresson et al. in view of Domel et al. Among various reasons cited in support of the rejections of claims 8-18, 20, 21, and 22, it is asserted Domel et al. discloses manual buttons that are interchangeable with signals. It is also asserted that it would have been obvious

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to modify Bresson et al. to have such a manual button so as to reduce the chance of operational failure.

To establish a prima facie case of obviousness, the prior art reference, or references when combined, must teach or suggest every limitation of the claimed invention. See MPEP § 2143. Even if the motor control unit disclosed in Bresson et al. is modified to include a manual button as disclosed in Domel et al., there are aspects of independent claim 19 that are not taught or suggested by the combination of Bresson et al. and Domel et al. For example, claim 19 recites method steps of “monitoring an amount of extension” of an adjustable covering, “monitoring an amount of transmissivity” of the adjustable covering, and commanding a motor to make a predetermined adjustment to the adjustable covering based on the monitored amount of extension, transmissivity, speed, and signal. Bresson et al., either alone or in combination with Domel et al., does not teach or suggest commanding a motor to make a predetermined adjustment to a screening element based on a monitored amount of extension, transmissivity, speed, and signal.

Thus, it is respectfully submitted that, for at least the reasons discussed above, Bresson et al. as modified by Domel et al. does not disclose or suggest the invention of claim 19. As such, claim 19 is patentable under 35 U.S.C. § 103(a) over Bresson et al., either alone or in combination with Domel et al. Claims 20, 21, and 22 depend from and include all of the limitations of claim 19, respectively. Thus, for at least the same reasons discussed above with regard to claim 19, it is believed that claims 20, 21, and 22 are patentable under 35 U.S.C. § 103(a) over Bresson et al., either alone or in combination with Domel et al. Therefore, it is believed that claims 20, 21, and 22 are in form for allowance and such indication is respectfully requested.

III. Conclusion

For at least the various reasons discussed herein, it is believed that claims 1-22 are in form for allowance, and a Notice of Allowance is respectfully requested.

A petition for a one month extension of time to respond to the July 14, 2004 Office action is hereby requested, making this Amendment and Response due on or before Monday, November 15, 2004. The commissioner is hereby authorized to charge deposit account 04-1415

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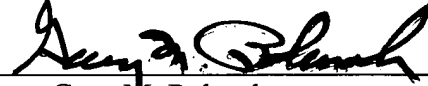
the amount of \$110.00 to cover the extension of time fee. It is believed no further fees are due with respect to filing of this Amendment; however, if additional petitions or fees are required, please consider this a request therefor and authorization to charge Deposit Account No. 04-1415 accordingly.

Respectfully submitted,

DORSEY & WHITNEY LLP

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